

C4C203  
Imagery Center

Federal Communications Commission  
Washington, D.C. 20554

November 19, 2003

Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

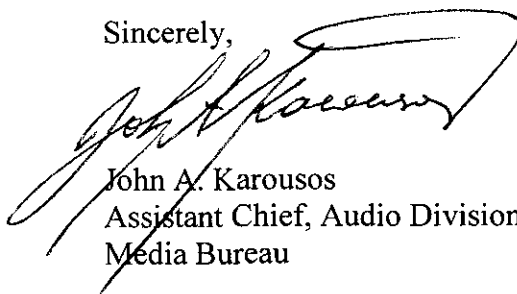
Dear Mr. Crawford:

This is in response to the Motion to Dismiss the Petition for Rule Making that you filed concerning the allotment of Channel 279A at D'Hanis, Texas.

You filed the Motion to Dismiss the Petition for Rule Making for Channel 279A at D'Hanis because the proposed allotment at D'Hanis conflicts with a prior filed petition for rule making that requested the allotment of Channel 279A at Hunt, Texas. A staff engineering analysis has determined that your proposal for Channel 279A at D'Hanis is also short-spaced to the Mexican allotment for Channel 280C at Ciudad AC, Coahila. In accordance with the requirements of Section 1.420(j) of the Commission's rules, you have provided an affidavit certifying that you have not nor will not receive, either directly or indirectly, any money or other consideration in connection with the requested withdrawal of your expression of interest and the dismissal of your Petition for Rule Making, which requested the allotment of Channel 279A at D'Hanis, Texas.

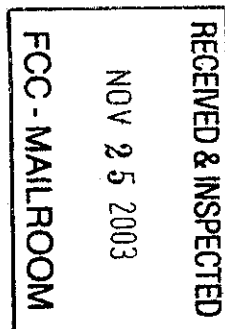
Your Motion to Dismiss is hereby granted for the reasons stated above. Therefore, we are returning your Petition for Rule Making that requested the allotment of Channel 279A at D'Hanis, Texas.

Sincerely,

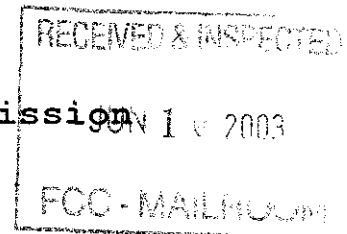


John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

Enclosure

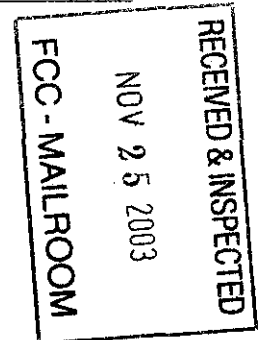


Before the  
Federal Communications Commission  
Washington, D.C. 20554



In the Matter of )  
 )  
Amendment of 73.202 (b) ) MB Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(D'Hanis, TX )

To: John Karousos, Assistant Chief  
Audio Division of the  
Media Bureau



PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 279A at D'Hanis, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 279A to D'Hanis, Texas as that community's first local FM service. D'Hanis, Texas is a census designated place with its own zip code and a population of 548 people.<sup>1</sup> D'Hanis has its own mayor, its own school, volunteer fire department, post office and several churches. D'Hanis is a community that is certainly deserving of local FM service. The proposed channel 279A will provide additional diversity and an outlet for local self-expression to D'Hanis residents and therefore is in the public interest.

In order for Channel 279A to be allotted to D'Hanis, Texas, station KEYI Channel 278C at San Marcos, Texas must be reclassified to a C0. (See, Attachment A, Request to Reclassify statement)

Attached hereto is a channel study confirming that Channel 279A can be allocated to D'Hanis, Texas, consistent

<sup>1</sup> According to the 2002/ 2003 Texas Almanac.

03.140  
MB

with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

Reference coordinates for Channel 279A at D'Hanis, Texas are:

29 16 17 N  
99 16 23 W

Should this petition be granted and Channel 279A be allotted to D'Hanis, Texas, Petitioner will apply for Channel 279A at D'Hanis and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 520-7077      Tele  
(214) 443-9308      Fax

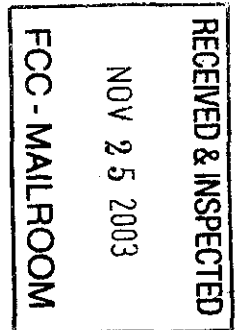
cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

June 2, 2003

## Attachment A

Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205

Petition for Rule Making  
FM Channel 279A  
D'Hanis, Texas  
June 2, 2003



**Attachment A**

Request to Reclassify  
Station KEYI(FM), San Marcos, Texas  
Pursuant to MM Docket 98-93

Radio Station KEYI(FM), San Marcos, Texas is licensed to Sinclair Telecable, Inc., 8309 North IH 35, Austin, TX 78753, (Facility ID 41213), FCC File No. BLH 19880113KA. The facility operates with a power of 100 kilowatts with center of radiation 383 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KEYI(FM) be modified to specify operation on FM Channel 278C0 instead of on FM Channel 278C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

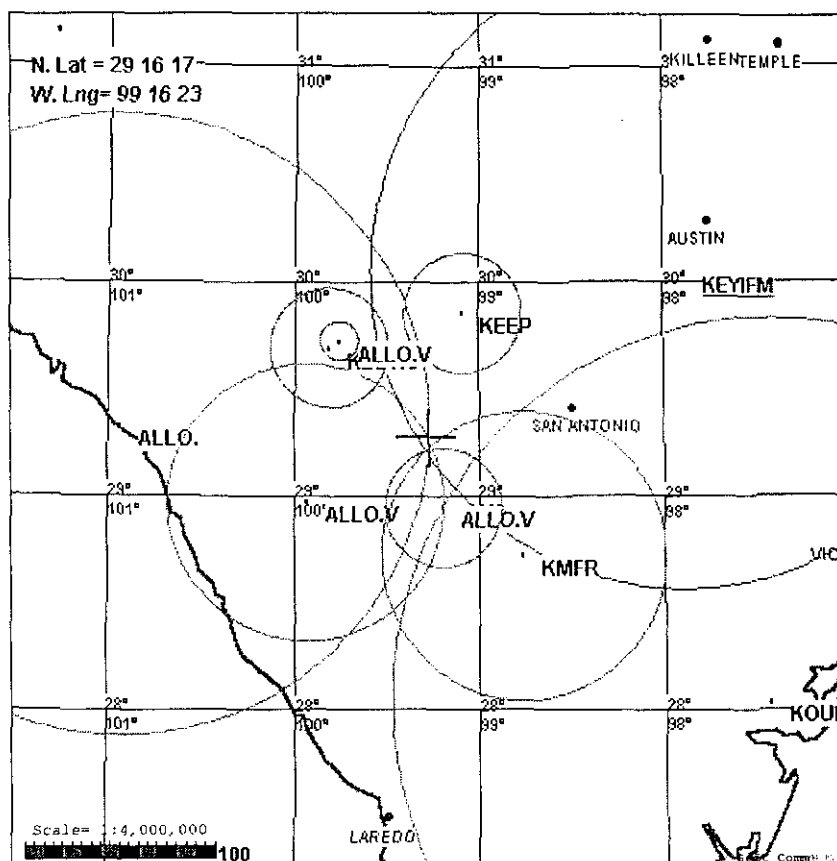
Charles Crawford, the proponent of Channel 279A at D'Hanis, Texas, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KEYI(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at D'Hanis, Texas as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Sinclair Telecable, Inc. as is required in the above Docket.

A handwritten signature in black ink, appearing to be "Charles Crawford", written over a horizontal line.

Charles Crawford

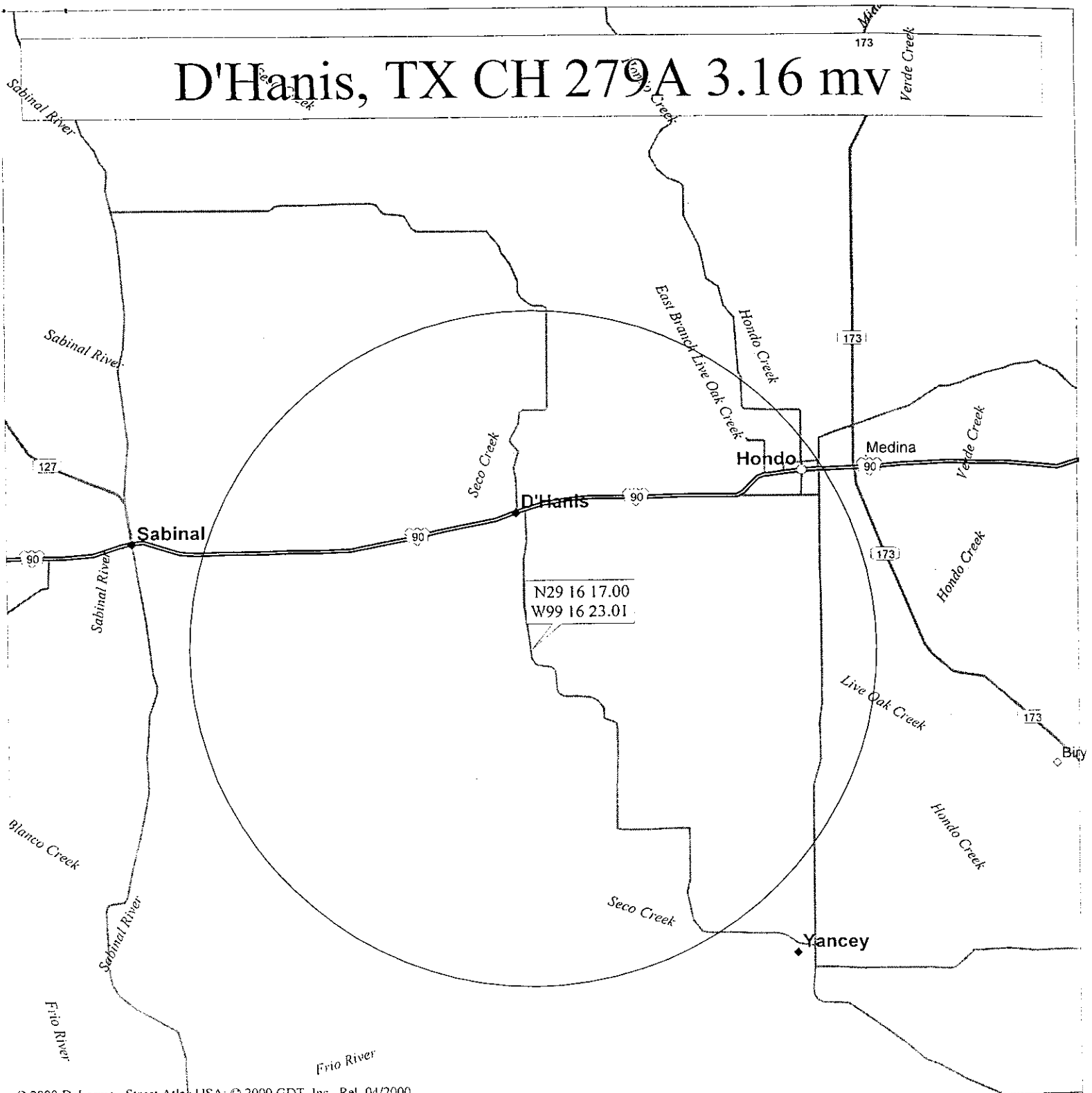
Attachment B

FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 279 A 103.7 MHz  
Study



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KEYIFM	278C*	LIC	San Marcos	TX	159.78	57.1	165.0	-5.22
ALLO.	280C		Ciudad Acuna	CI	161.15	272.6	161.0	0.15
ALLO.V	278A	VAC	La Pryor	TX	72.59	242.6	72.0	0.59
KMFR	281C1	LIC	Pearsall	TX	78.74	140.8	75.0	3.74
ALLO.V	277A	VAC	Vacpearsall	TX	37.01	168.3	31.0	6.01
ALLO.V	277A	VAC	Pearsall	TX	37.01	168.3	31.0	6.01
KOUL	279C1	LIC	Sinton	TX	225.91	127.1	200.0	25.91
KEEP	276A	LIC	N Bandera	TX	67.15	15.2	31.0	36.15
KBLT.C	282A	CP	N Leakey	TX	70.35	311.9	31.0	39.35
KBLT	282A	LIC	N Leakey	TX	70.35	311.9	31.0	39.35
ALLO.V	226A	VAC	Leakey	TX	69.47	317.1	10.0	59.47

# D'Hanis, TX CH 279A 3.16 mv



© 2000 DeLorme. Street Atlas USA: © 2000 GDT, Inc., Rel. 04/2000

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Scale 1:250,000 (at center)

5 Miles

5 KM

- US Highway
- Major Connector
- State Route
- County Seat
- Small Town
- Locale
- Water
- River/Canal

Intermittent River



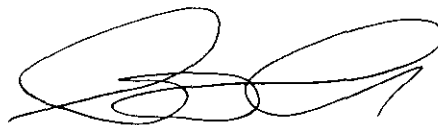
**CERTIFICATE OF SERVICE**

I, Charles Crawford, hereby certify that on this 2<sup>nd</sup> day of June, 2003, I caused copies of the foregoing "Petition for Rule making for D'Hanis, Texas" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Mr. Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby-TW-A325  
Washington, D.C. 20554

Gene Bechtel, Esq.  
Law Offices of Gene Bechtel, P.C.  
1050 17<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-5517  
(Counsel for Petitioner)

Sinclair Telecable, Inc.  
Station KEYI  
8309 North IH 35  
Austin, TX 78753

A handwritten signature in black ink, appearing to read 'Charles Crawford', written over a horizontal line.

Charles Crawford